

- (a) at least one device according to one of claim 97, claim 113 or claim 126; and
- (b) instructions for using said at least one device.

139. (New) The kit according to claim 138, further comprising at least one test strip.

140. (New) The kit according to claim 139, wherein said at least one test strip is an electrochemical test strip.

141. (New) The kit according to claim 139, wherein said at least one test strip is a colorimetric test strip.

142. (New) The kit according to claim 138, further comprising a meter.

143. (New) The kit according to claim 138, further comprising an element for obtaining a physiological sample.

144. (New) The kit according to claim 138, further comprising a control solution.

REMARKS

Formal Matters

Claims 1-96 have been canceled without prejudice above.

Claims 97- 144 are pending after entry of the amendments set forth herein.

The specification was amended to correct minor errors. A marked up version of the amended specification paragraphs is included herewith, in the attachment titled captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

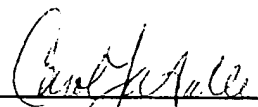
Applicant respectfully requests examination and allowance of the present application at the Examiner's earliest convenience.

No new matter has been added.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number LIFE033.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

Paragraph 0010 on page 3 was amended as follows:

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(Amended) As will be apparent to those of skill in the art, the efficiency of a seal between two surfaces touching each other [spends] depends on the surface materials and the pressure exerted by one surface to the other or, in other words, the normal or perpendicular forces holding the surfaces together.

Paragraph 0081 on page 23 was amended as follows:

(Amended) Figure 4 shows an exemplary embodiment of a subject cover assembly of a subject housing showing the internal structure, such as cover assembly 4 of Figure 3. Cover assembly 4 includes [attachment means] three attachment means, each of which is capable of forming an intimate contact between the base and cover assemblies.

Paragraph 0094 beginning on page 27 was amended as follows:

(Amended) Figure 7B illustrates an exploded view of the association of test strip engagement element 32 with a test strip stack. As shown, the distal end of the test strip engagement element 32 includes a handle 34 attached to a connecting means or rod or plate mid section 33. The proximal end 35 of the test strip engagement element 32 includes at least one test strip grasping means, herein shown as two ledges or arms 36, where such grasping means are configured to grasp or engage edge E of an end or top most test strip 14' from a plurality or stack of test strips 14 and slideably move test strip 14' away or distally from the stack 14 so it can be easily grasped by an individual. As described above, test strip stack 14 may further be associated with an urging means 12, herein shown as a spring element 12, and a substantially planar, rigid plate 39 for maintaining the test strips together in a suitable orientation.